

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Goozner on April 2011.

The application has been amended as follows:

1. A fuel cell comprising:

a fuel electrode and an oxidant electrode;

an absorbent sheet disposed in an oxidant path and sandwiched between the oxidant electrode and a separator plate; and

an absorbent moving part disposed in the oxidant path and sandwiched between the oxidant electrode and the separator plate, the absorbent moving part movably supporting the absorbent sheet in a direction such that the absorbent sheet approaches to and departs from a vicinity of ~~the oxidant electrode~~ an oxidant inlet.

24. A fuel cell comprising:

a fuel electrode;

an oxidant electrode disposed opposing to the fuel electrode;

an absorbent sheet disposed in an oxidant path and sandwiched between the oxidant electrode and a separator plate;

an absorbent moving part disposed in the oxidant path and sandwiched between the oxidant electrode and the separator plate, the absorbent moving part movably supporting the absorbent sheet in a direction such that the absorbent sheet approaches to and departs from a vicinity of ~~the oxidant electrode~~ an oxidant inlet, and the absorbent moving part supports the absorbent sheet such that the absorbent sheet is disposed opposing a surface of the oxidant

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electrode when the absorbent sheet is moved in a direction approaching the oxidant electrode.

27. (currently amended) A fuel cell comprising:

a fuel electrode and an oxidant electrode;

an absorbent sheet disposed in an oxidant path and sandwiched between the oxidant electrode and a separator plate; and

an absorbent moving part disposed in the oxidant path and sandwiched between the oxidant electrode and the separator plate, the absorbent moving part movably supporting the absorbent sheet,

wherein the absorbent moving part moves the absorbent sheet between a position where at least part of the absorbent sheet is in contact with the oxidant electrode and another position where said at least part of the absorbent sheet is departed from the oxidant electrode in a direction toward an oxidant inlet.

2. The following is an examiner's statement of reasons for allowance: The prior art does not suggest a mechanically moving element that is positioned between the electrode and the separator plate within the flow path as claimed. The prior art does not suggest an element for removal of water or other byproducts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN YANCHUK whose telephone number is

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(571)270-7343. The examiner can normally be reached on Monday through Thursday 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ula Ruddock can be reached on 571-277-1481. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEPHEN YANCHUK/
Examiner, Art Unit 1795

/Ula C Ruddock/
Supervisory Patent Examiner, Art Unit 1729